

table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1017) was read the third time and passed.

## SECOND HIGHER EDUCATION EXTENSION ACT OF 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4525, which was received from the House.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4525) to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4525) was read the third time and passed.

## UNANIMOUS CONSENT AGREEMENT—H. CON. RES. 326

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of H. Con. Res. 326, the adjournment resolution; provided that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table. I further ask unanimous consent that action on the resolution be vitiated if the House does not adopt S. Con. Res. 74.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 326) was agreed to, as follows:

### H. CON. RES. 326

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on any legislative day from Sunday, December 18, 2005, through Saturday, December 24, 2005, or from Monday, December 26, 2005, through Saturday, December 31, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die or until the time of any reassembly pursuant to section 3 of this concurrent resolution; and when the Senate adjourns on any day from Monday, December 19, 2005, through Saturday, December 24, 2005, or from Monday, December 26, 2005, through Saturday, December 31, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die or until the time of any reassembly pursuant to section 3 of this concurrent resolution.

SEC. 2. When the House adjourns on any legislative day of the second session of the One Hundred Ninth Congress from Tuesday, January 3, 2006, through Saturday, January 28, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand adjourned until noon on Tuesday, January 31, 2006, or

until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first; when the Senate recesses or adjourns on any day of the second session of the One Hundred Ninth Congress from Tuesday, January 3, 2006, through Monday, January 16, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand recessed or adjourned until noon on Wednesday, January 18, 2006, or until such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first; and when the Senate recesses or adjourns on any day from Friday, January 20, 2006, through Saturday, January 28, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand recessed or adjourned until noon on Tuesday, January 31, 2006, or until such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 3. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

## CONDITIONAL ADJOURNMENT OF THE HOUSE AND SENATE

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment sine die under the provisions of H. Con. Res. 326, and when the Senate reconvenes at 12 noon on January 3, it be for a pro forma session only, and that no business be in order and the Senate then automatically adjourn until 10 a.m. on January 18 as under the provisions of that resolution, or until 8 p.m. on December 22 if the House does not adopt S. Con. Res. 74. I further ask that on whichever day the Senate reconvenes, following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of the proceedings be approved to date, and the time for the two leaders be reserved, and then the Senate proceed to a period of morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

## THANKING THE STAFF AND PAGES

Mr. FRIST. Mr. President, as we bring this first session of the 109th Congress to a close, I once again thank my colleagues, the staff, the pages, and everyone who contributes so much to our work in this Chamber.

I want to give a special thanks to the few pages we have remaining this evening. Most of them have gone back home to their families, and we have a few volunteers who stayed behind. They are instrumental in allowing us

to carry out our work each day. It is very rare that we actually say thank you. I want to take this opportunity to say thank you for volunteering to be with us over what has been a pretty long last couple of days. So I thank Rafi Bortnick, Katie Rember, and Dan Tinsley.

I wish everyone a Merry Christmas and a happy and healthy holiday season. I hope that everyone does get some rest and spends some time with family and friends and neighbors and others in their communities and returns back here in January ready to roll up your sleeves and continue right where we left off.

## ADJOURNMENT UNTIL DECEMBER 22, 2005 OR JANUARY 3, 2006

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 12:13 a.m., adjourned until Thursday, December 22, 2005, at 8 p.m. or Tuesday, January 3, 2006.

## NOMINATIONS

Executive nominations received by the Senate December 21, 2005:

### DEPARTMENT OF ENERGY

ALEXANDER A. KARSNER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENERGY EFFICIENCY AND RENEWABLE ENERGY), VICE DAVID GARMAN.

### TENNESSEE VALLEY AUTHORITY

SUSAN RICHARDSON WILLIAMS, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2007. (NEW POSITION)

DONALD R. DEPRIEST, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2009. (NEW POSITION)

HOWARD A. THRAILKILL, OF ALABAMA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR THE TERM PRESCRIBED BY LAW, VICE GLENN L. MCCULLOUGH, JR., RESIGNED.

### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

VINCE J. JUARISTI, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING FEBRUARY 8, 2009, VICE LESLIE LENKOWSKY, TERM EXPIRED.

### IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

### To be lieutenant commander

CHRISTOPHER P. BOBB, 0000  
BRUCE J. CICCONE, JR., 0000  
CHAD J. CONEWAY, 0000  
DAVID COX, 0000  
DENNIS M. DAVIS, 0000  
RICHARD A. DEHAVEN, 0000  
MICHAEL J. DONIGER, 0000  
DAVID L. EDGERTON, 0000  
RANDALL I. FEHER, 0000  
JEFFREY L. HEAMES, 0000  
BRIAN P. HOGAN, 0000  
JONATHAN S. HOLMGREN, SR., 0000  
NOMER F. JAVIER, 0000  
MICHAEL D. JOHNSON, 0000  
CHARLES O. JONES, 0000  
DAVID R. KINNEY, 0000  
BRIAN S. ONEILL, 0000  
JEFFREY D. ORBERSON, 0000  
VINCENT J. WOOD, 0000

## CONFIRMATIONS

Executive nominations confirmed by the Senate, Wednesday, December 21, 2005:

## DEPARTMENT OF THE INTERIOR

R. THOMAS WEIMER, OF COLORADO, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

VINCENT J. VENTIMIGLIA, JR., OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

## IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. DONALD M. BRADSHAW

## THE JUDICIARY

JOSEPH FRANK BIANCO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

TIMOTHY MARK BURGESS, OF ALASKA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ALASKA. GREGORY F. VAN TATENHOVE, OF KENTUCKY, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF KENTUCKY.

ERIC NICHOLAS VITALIANO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

KRISTI DUBOSE, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ALABAMA.

W. KEITH WATKINS, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF ALABAMA.

VIRGINIA MARY KENDALL, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

## DEPARTMENT OF HOMELAND SECURITY

EMILIO T. GONZALEZ, OF FLORIDA, TO BE DIRECTOR OF THE BUREAU OF CITIZENSHIP AND IMMIGRATION SERVICES, DEPARTMENT OF HOMELAND SECURITY.

## FEDERAL COMMUNICATIONS COMMISSION

MICHAEL JOSEPH COPPS, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2005.

DEBORAH TAYLOR TATE, OF TENNESSEE, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2007.

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIGADIER GENERAL PHILIP M. BREEDLOVE

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. GARY D. SPEER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. CHARLES C. CAMPBELL

## IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. ANDREW B. DAVIS

## IN THE COAST GUARD

COAST GUARD NOMINATION OF CONNIE M. ROOKE TO BE LIEUTENANT COMMANDER.

COAST GUARD NOMINATION OF JOSEPH T. BENIN TO BE LIEUTENANT.

## IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH JOLENE A. AINSWORTH AND ENDING WITH DAVID C. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 28, 2005.

AIR FORCE NOMINATIONS BEGINNING WITH CRAIG L. ADAMS AND ENDING WITH MATTHEW C. WYATT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 17, 2005.

AIR FORCE NOMINATIONS BEGINNING WITH JAY O. AANRUD AND ENDING WITH SCOTT C. ZIPPWALD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 17, 2005.

AIR FORCE NOMINATION OF MARTIN E. KEILLOR TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH ROBERT W. DESVERREAUZ AND ENDING WITH CHETAN U. KHAROD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2005.

AIR FORCE NOMINATION OF JULIE S. MILLER TO BE MAJOR.

AIR FORCE NOMINATION OF KARA A. GORMONT TO BE MAJOR.

## IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH DEIBY ACEVEDO AND ENDING WITH DAVID R. ZYSK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 13, 2005.

ARMY NOMINATIONS BEGINNING WITH HOLTORF R. ALONSO AND ENDING WITH RICHARD M. ZYGADLO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 13, 2005.

ARMY NOMINATIONS BEGINNING WITH THOMAS E. AYRES AND ENDING WITH PETER C. ZOLPER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 13, 2005.

ARMY NOMINATION OF CINDY R. JEBB TO BE COLONEL. ARMY NOMINATION OF RICHARD L. CHAVEZ TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH SAMUEL CASSCELLS AND ENDING WITH SLOBODAN JAZAREVIC, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2005.

ARMY NOMINATIONS BEGINNING WITH JOSEPH J. IMPALLARIA AND ENDING WITH ARTHUR E. LEES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2005.

## IN THE MARINE CORPS

MARINE CORPS NOMINATION OF MICHELLE A. RAKERS TO BE CAPTAIN.

## IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH TONY C. BAKER AND ENDING WITH JAMES J. VOPELIUS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 13, 2005.

NAVY NOMINATION OF LLOYD G. LECAIN TO BE CAPTAIN.

## WITHDRAWALS

Executive message transmitted by the President to the Senate on December 21, 2005 withdrawing from further Senate consideration the following nominations:

HOWARD A. THRAILKILL, OF ALABAMA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2007, WHICH WAS SENT TO THE SENATE ON NOVEMBER 17, 2005. SUSAN RICHARDSON WILLIAMS, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR THE TERM PRESCRIBED BY LAW, WHICH WAS SENT TO THE SENATE ON NOVEMBER 17, 2005.